IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 747 of 1982

Athithi Estate & ors. .. Plaintiffs
versus
Natwarlal Mayashankar Mehta .. Defendant

...

Mr.Vipul Jain i/b Vinod Mistry & Co. for the plaintiffs.
None for the defendant.

CORAM : D.G. KARNIK,J.

DATED : 15th February 2007.

P.C.:

1. By an order dated 25th January 2007, plaintiff was directed to produce documents and file affidavit of its first witness within a week. By an order dated 8th February 2007, time was extended by a week.

2. Today, the plaintiff and his witnesses are absent when called. Advocate has no instructions about the presence of the plaintiff and its witnesses. Hence suit is dismissed under Order 17 Rule 2 r/w Order 9 Rule 3 of the Code of Civil Procedure.

D.G. KARNIK, J